

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

RICHARD DEGAETANO, Plaintiff, v. MILLENIUM SHOES, INC. Defendant.	Case No. 1:23-cv-01364-MAD-CFH
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NOTICE OF DISMISSAL PURSUANT TO RULE 41(a)(1)

1. Whereas Plaintiff RICHARD DEGAETANO filed the above-referenced case against Defendant MILLENIUM SHOES, INC. on November 1, 2023.

2. Whereas Defendant has not yet answered Plaintiff's Complaint, and thus dismissal is appropriate without Court order, pursuant to F.R.C.P. Rule 41(a)(1)(A)(i).

3. Accordingly, pursuant to F.R.C.P. Rule 41(a)(1)(A)(i), Plaintiff hereby dismisses his Complaint with prejudice.

Dated: January 29, 2024

Respectfully Submitted,

/s/ Benjamin Sweet

Benjamin J. Sweet

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**NYE, STIRLING, HALE, MILLER &
SWEET, LLP**

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Attorneys for Plaintiff Richard DeGaetano

IT IS SO ORDERED:



Mae A. D'Agostino
U.S. District Judge

Dated: January 31, 2024

Albany, NY